

10/265,011
PATENT
18680-250518
AUG 30 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

PHILIP T. DAVIS, ET AL.

Serial No.: 09/328,856

Filed: June 9, 1999

For: METHOD AND SYSTEM FOR
PROVIDING INSURANCE PROTECTION
AGAINST LOSS OF RETIREMENT
ACCUMULATIONS IN A TAX FAVORED
DEFINED CONTRIBUTION PLAN IN THE
EVENT OF A PARTICIPANT'S DISABILITY

) Art Unit: 2166

) Examiner: J. PARISI

I hereby certify that this correspondence is
being deposited with the United States Postal
Service with sufficient postage as first class
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Assistant Commissioner for Patents
Washington D.C. 20231, on

August 28, 2001

Date of Deposit

Richard H. Zaitlen, Reg. No. 27,248

Name



8/28/01

Date

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated February 28, 2001, the due date for response to which is extended to August 28, 2001 by the accompanying Petition for Extension of Time, please amend the above-referenced application as follows and consider the remarks.



In re Application of: PHILIP T. DAVIS, ET AL.

Serial No.: 09/328,856

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 FAVORED DEFINED CONTRIBUTION PLAN IN THE EVENT OF A PARTICIPANT'S
 DISABILITY

Date: August 28, 2001
 Examiner: J. PARISI
 Group Art Unit: 2166

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ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

Certified copy of Patent Application No. _____ filed _____ from which priority is claim under 35 U.S.C. §119.

No additional fee is required.

The fee has been calculated as shown below:

	(co. 1) Claims Remaining After Amendment		(Col. 2) Highest No. Prev. Paid For	(Col. 3) Present Extra	Small Entity/ Large Entity Rate	Additional Fee Due
Total Claims	45	Minus	45	0	x9 x18	0
Ind. Claims	3	Minus	3	0	x40 x80	0
First Presentation of Multiple Dependent Claims					+270 +135	0
					TOTAL	\$ 0.00

- If the entry of Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

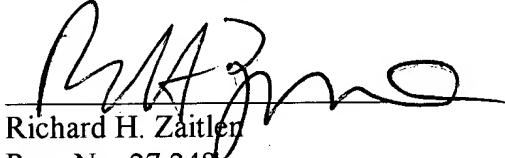
Please charge my Deposit Account No. \$
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 A check in the amount of \$

**A copy of this sheet is
enclosed.**
 to cover the amendment filing
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Enclosed are:

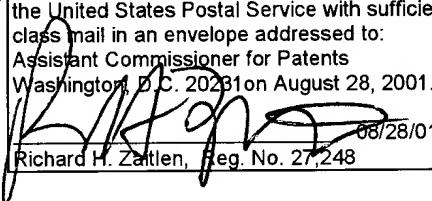
- 6-Sheets of informal drawings (Figs. 1-4).
- A Power of Attorney from Assignee and Revocation of Prior Powers.
- IDS with Form PTO-1449 and 5-references. A check in the amount of \$180 to cover the IDS fee is enclosed. **A copy of this sheet is enclosed.**
- Petition for Extension of Time. A check in the amount of \$445 to cover the extension fee is enclosed. **A copy of this sheet is enclosed.**
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3975. **A copy of this sheet is enclosed.**
 - Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,


Richard H. Zaitlen
Reg. No. 27,248

Dated: August 28, 2001

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Assistant Commissioner for Patents
Washington, D.C. 20331 on August 28, 2001.

Richard H. Zaitlen, Reg. No. 27,248
08/28/01